IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 30TH JULY 2007 / 8TH SRAVANA 1929

Bail Appl..No. 4538 of 2007()

CRIME NO.531/07 OF KALAMASSERY POLICE STATION

PETITIONER :

BAIJU, AGED 36 YEARS, ILLIPARAMBIL HOUSE
VADUTHALA.

BY ADV. SRI.A.T.ANILKUMAR

RESPONDENTS:

C.I.OF POLICE, KALAMASSERY POLICE
STATION REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO.4538 OF 2007

Dated this the 30th day of July, 2007

ORDER

Application for anticipatory bail. The petitioner is the 2nd accused in a crime registered, inter alia, under Sec.392 of the IPC. Investigation is in progress. The petitioner apprehends imminent arrest.

2. The learned counsel for the petitioner points out that the principal accused – the 1st accused in the crime, has already been granted anticipatory bail, as per the order dated 17/7/07 passed by this Court in B.A.No.4318/07. For the same reasons and on identical conditions, bail may be granted to the petitioner herein also, submits the learned counsel for the petitioner.

3. There is no objection on the part of the prosecution and I am satisfied that for the same reasons, as shown in the order in the said bail application, the petitioner herein can also

be granted anticipatory bail on identical conditions.

4. In the result, this petition is allowed. Following directions are issued under Sec.438 of the Cr.P.C:

(i) The petitioner shall appear before the learned Magistrate having jurisdiction at 11 a.m. on 6/8/07. He shall be released on regular bail on his executing a bond for Rs.25,000/- with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(ii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m. and 3 p.m. on 7/8/07 and 8/8/07 and thereafter on all Mondays and Fridays between 10 a.m. and 12 noon for a period of one month. Subsequently, he shall so make himself available for interrogation before the Investigating Officer as and when directed by the Investigating Officer in writing to do so.

(iii) If the petitioner does not appear before the learned Magistrate as directed in clause (i), directions issued above shall thereafter stand revoked and the police shall be at liberty to arrest the petitioner and deal with him in accordance with law as if those directions were not issued at all;

(iv) If the petitioner were arrested prior to his surrender on 6/8/07 as directed in clause (i) above, he shall be released on

his executing a bond for Rs.25,000/- without any sureties undertaking to appear before the learned Magistrate on 6/8/07.

Sd/-

(R. BASANT, JUDGE)

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P.S. to Judge